

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Fig. 6.

Attachment: Replacement Sheet

Annotated Sheet Showing Changes

### **REMARKS/ARGUMENTS**

Claims 1-30 are pending in the present application.

This Amendment is in response to the Office Action mailed January 13, 2005. In the Office Action, the Examiner objected to the disclosure and claims 1, 2, 11, 12, and 16-20, rejected claims 2 and 12 under 35 U.S.C. §112; claims 1, 2, 6-12, and 17-20 under 35 U.S.C. §102(e). Applicants have amended claims 1, 2, 11, 12, and 17-20, and added claims 31 and 32. Applicants submit that the newly-added claims introduce no new matter. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

#### ***Restriction Requirements***

1. The Examiner states that the previous restriction requirement improperly grouped the species and claims and the proper listing of species/ claims should be:

- a) Species I – a staircase arrangement in one dimension, shown in figures 2A and 2B, to which claim 13 is drawn.
- b) Species II – a staircase arrangement in two dimensions, shown in figure 3, to which claim 14 is drawn.
- c) Species III – an alternate staggered arrangement in one dimension, shown in figures 4A and 4B, to which claim 15 is drawn; and
- d) Species IV – an alternate staggered arrangement in two dimensions, shown in figure 5, to which claim 16 is drawn.

The Examiner then states that claims 1, 2, 6-12, and 17-20 are generic to all species and claims 3-5 are generic to species II and IV. Applicants respectfully traverse the restriction requirement and contend that the Examiner's grouping is improper.

Figures 2B and 3 are different embodiments of the same arrangement. Figure 3 shows the second offset distance  $d_2$ . In Figure 2B, this offset distance is equal to zero. Similarly, Figure 5 has a second offset distance which is zero in Figure 4B.

As argued in the previous response, Applicants believe that all figures belong to the same generic species and the restriction requirement is respectfully traversed. However, in compliance with 35 U.S.C. 121, Applicants elect claims 1-2, 6-12, and 17-20 for examination.

### ***Specification***

1. The Examiner objected to the specification due to minor informalities. In response, Applicants have amended the specification accordingly. Therefore, Applicants respectfully request the objection be withdrawn.

The Office Action requested that Applicants add a "Summary of the Invention" description to the application. However, Applicants would like to kindly point out that both the M.P.E.P. and 37 C.F.R. §1.73 do not require the presence of a "Summary of the Invention" in a patent application. They merely indicate where in the application the "Summary of the Invention" should be placed if Applicants were to elect to include one.

In particular, 37 C.F.R. §1.73 only states that "[a] brief summary of the invention ... should precede the detailed description." 37 CFR §1.73 does not state "must" or "shall." Accordingly, Applicants have elected not to include a "Summary of the Invention" as this is within the discretion of Applicants.

### ***Claim Objections***

1. The Examiner objects to claims 1, 2, 11, 12 and 16-20. Applicants have amended claims 1, 2, 11, 12 and 17-20 to correct the minor informalities. Applicants respectfully request that the Examiner withdraw the objection to claims 1, 2, 11, 12 and 17-20.

### ***Rejection Under 35 U.S.C. § 112***

In the Office Action, the Examiner rejected claims 2 and 12 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Specifically, the Examiner states that it is unclear what applicant regards as "the upper and lower conductors are separated by a conductor distance" in claim 2 and "the conductors are separated by a conductor distance" in claim 12 (Office Action, page 3, Paragraph 5). Applicants respectfully direct the Examiner's attention to the Specification, paragraphs [0028] and [0032]. The term "conductor distance" refers to a distance that is sufficiently large to separate the conductors.

Therefore, Applicants respectfully request the rejection under 35 U.S.C. §112 be withdrawn.

***Rejection Under 35 U.S.C. § 102***

1. In the Office Action, the Examiner rejected claims 1, 2, 6-12 and 17-20 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,476,474 issued to Hung ("Hung"). Applicants respectfully traverse the rejection and contend that the Examiner has not met the burden of establishing a prima facie case of anticipation. To anticipate a claim, the reference must teach every element of a the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Vergegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the...claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989).

Hung discloses a dual-die package structure and method for fabricating the same. The attachment of the second die over the first die constitutes a face-to-face stacked dual die construction (Hung, col. 4, lines 8-9).

Hung does not disclose, either expressly or inherently, (1) a staggering arrangement, (2) the bottom surface of the upper die being attached to the top surface of the lower die, (3) the upper conductor and the lower conductor being separated by a conductor distance, and (4) a redistribution layer.

Hung merely discloses a dual-die packaging involving exactly two dice facing each other. Since there are only two dice, there cannot be a staggering arrangement as recited in claim 11. Furthermore, the bonding wires 410 and 420 are connected to two opposite sides of the dice, not to the upper and lower first edges as recited in claim 2 and new claim 31. In addition, Hung does not disclose a redistribution layer as recited in claims 7 and 17. The Examiner states that Hung discloses depositing a redistribution layer which is a layer that contains the bond pads 210 and provides electrical connections between the bond pads 210 and internal elements inside the upper die 200 (Office Action, page 5, second full paragraph). However, Hung merely discloses that the

die is formed with a lined array of bond pads on one edge (Hung, col. 3, lines 43-47). A lined array of bond pads is not the same as a redistribution layer.

Therefore, Applicants believe that independent claims 1, 11, and 31, and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicants respectfully request the rejection under 35 U.S.C. §102(e) be withdrawn.

***Conclusion***

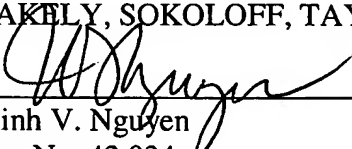
Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 03/14/2005

By

  
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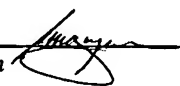
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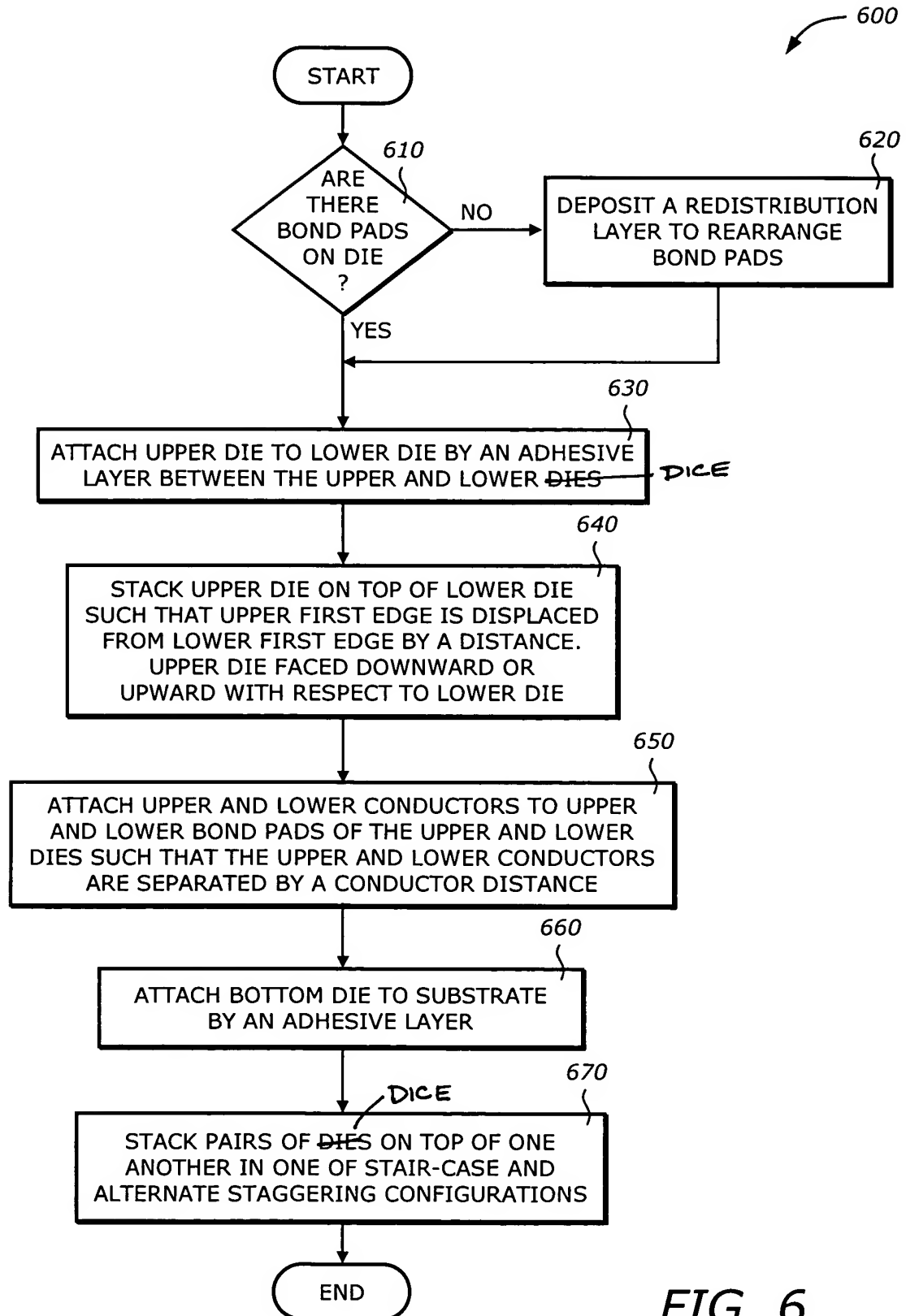


FIG. 6